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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

<p>UTAH INSURANCE DEPARTMENT,</p> <p>Complainant,</p> <p>v.</p> <p>JUSTIN B. STRATTON 210 N. 1200 E. Suite 250 Lehi, Utah 84043 License # 239697</p> <p>Respondent.</p>	<p>STIPULATION AND ORDER</p> <p>Docket No. 2016-102 PC Enf. Case No. 3774</p> <p>BRUCE DIBB, J.D. Administrative Law Judge</p>
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STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Justin B. Stratton ("Respondent"), hereby stipulate and agree as follows:

1. Respondent holds an active insurance producer license with a title-escrow line of authority. Respondent's business address is 210 E. 1200 E. Lehi, Utah. Respondent's License Number is 239697.

2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code Section 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to

Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of his right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

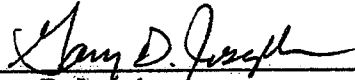
10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

Dated this 30 day of AUGUST, 2016.



JUSTIN B. STRATTON, Licensee

Dated this 31st day of August, 2016.



Gary D. Josephson,
Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. As a result of its investigation, the Department found that Respondent was a licensed real estate agent while at the same time holding a resident insurance producer license with title/escrow line of authority. During the same relevant time frame, Respondent was also designated to First American Title Insurance Agency.
2. Respondent's real estate license was issued June 5, 2005 and was inactivated on June 30, 2015.
2. The Department found that prior to the inactivation of Respondent's real estate license and while Respondent was designated to First American Title Insurance Agency, four (4) real estate transactions were closed from January 14, 2014 through August 16, 2014. The closings were conducted by other escrow officers.
3. Respondent failed to seek prior approval from the Commissioner in relation to the above referenced four transactions.
4. The Department found that Respondent did not actively market his real estate business once employed by First American Title Insurance Agency, and that Respondent's real

estate listings at the time were only for his own and family and friends properties.

5. The Department and Respondent agreed to a forfeiture in the amount of \$2,500; a six (6) month probation; and a \$2,000.00 forfeiture suspension upon successful completion of probation.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Section 31A-2-405 addresses dual licensure and requires that approval by the commissioner be granted before a real estate agent can provide any title insurance product or service to a consumer. Respondent violated this provision when he initiated four real estate closings at First American Title Agency, where he was also employed, without seeking approval from the Commissioner.

2. The recommended and accepted forfeiture in the amount of \$2,500.00, along with a six month probation and a \$2,000.00 forfeiture suspension upon successful completion of probation, is appropriate under the circumstances of this matter.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent Justin B. Stratton is hereby assessed an administrative forfeiture in

the amount of \$2,500.00 with \$500.00 of the forfeiture to be paid to the Department as follows:
\$85.00 monthly payments to be paid to the Department before the first of each month, beginning
October 1, 2016 and ending with the sixth and final monthly payment in the remaining amount
of \$75.00 being paid before March 1, 2017.

2. Respondent is hereby placed on probation for six months from the date of the
signed Order. Upon successful completion of probation, the remaining \$2,000.00 forfeiture will
be suspended.

3. The terms of probation are that Respondent shall have no further violations of the
referenced Utah Code Sec. 31A-2-405 statute and shall timely pay the \$500.00 forfeiture
amount, by monthly payments, to the Department.

DATED this 7th day of September, 2016.

TODD E. KISER
Insurance Commissioner


BRUCE DIBB, J.D.
Administrative Law Judge

TITLE AND ESCROW COMMISSION'S CONCURRENCE WITH ORDER

Pursuant to Utah Code Sec. 31A-2-404(1)(b) and by a vote of ____ to ____, taken in the
open meeting on this date, the Title and Escrow Commission hereby concurs with the Order of
the Presiding Officer.

DATED this _____ day of _____, 2016

David W. Moore, Chairman
Title and Escrow Commission

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

The undersigned hereby certifies that on this date, a true and correct copy of the
STIPULATION AND ORDER was mailed, postage prepaid, and electronically transmitted, to
the following:

**JUSTIN B. STRATTON
311 NORTH 950 EAST
AMERICAN FORK, UT 84003**

Email: jstratton@mtcutah.com

Dated this _____ day of _____, 2016.

**LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901**